

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

ACCESS LIMOUSINE SERVICE, INC.,

Plaintiff,

v.

SERVICE INSURANCE AGENCY, LLC,
et al.,

Defendants.

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Case No.: 8:15-cv-03724-TDC

**DEFENDANTS' MOTION TO STRIKE
PLAINTIFF'S EXPERT DESIGNATIONS**

Defendants Service Insurance Agency, LLC and Timothy O'Bryan, by and through undersigned counsel and pursuant to the Rules and Orders of this Honorable Court, hereby respectfully move this Court to strike Plaintiff's expert witness designations pursuant to Rule 37(c)(1). Defendants' Motion should be granted because Plaintiff's designations were not accompanied by the required reports under Rule 26(a)(2)(B). Further, even if a report is not required for either of Plaintiff's experts, the designation fails to meet the requirements of Rule 26(a)(2)(C). Further support for this Motion is set forth in the accompanying Memorandum of Points and Authorities, which is incorporated herein by reference.

WHEREFORE, for the reasons set forth therein, Defendants respectfully move this Honorable Court to grant this Motion, and for such additional relief as this Court may deem necessary and appropriate.

ORAL HEARING REQUESTED.

Respectfully submitted,

JORDAN COYNE LLP

By: 


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Counsel for Defendants

LCvR 104.7 CERTIFICATION

Prior to filing this Motion, undersigned counsel engaged in a telephonic discovery conference with Plaintiff's counsel on May 25, 2016, during which call undersigned counsel advised that Defendants' believed that an expert report was required for both of Plaintiff's expert witnesses. Counsel for Plaintiff disagree, but agreed that Plaintiff would provide an expert report for Plaintiff's liability expert by Friday, May 27, 2016 (Plaintiff's damages expert report was due May 25, 2016 by order of this Court). On May 31, 2016, undersigned counsel wrote to Plaintiff's expert and advised that undersigned counsel would file the motion by June 1, 2016 if no response was received. Undersigned counsel also placed a call to Plaintiff's counsel but was unable to reach anyone. As of the date of this Motion, Plaintiff has not responded to the May 31, 2016 e-mail or telephone call.

The issue requiring the Court's attention is that Plaintiff has filed inadequate expert designations under Rule 26(a)(2), and has failed to provide necessary reports under Rule 26(a)(2)(B).

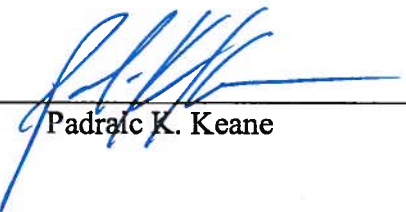


Padraic K. Keane

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of Defendants' Motion to Strike, Memorandum of Points and Authorities in Support thereof, and all exhibits thereto, were electronically filed and served this 7th day of June, 2016, upon:

Rand L. Gelber, Esq.
One Church Circle
Suite 800
Rockville, MD 20850
Counsel for Plaintiff



Padraic K. Keane